

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MAISA KURDI,

Plaintiff,

v.

STATE OF CALIFORNIA,

Defendant.

Case No. 1:22-cv-00729-JLT-EPG

ORDER REQUIRING PLAINTIFF TO
SHOW CAUSE IN WRITING WHY (1)
SETTLEMENT CONFERENCE SHOULD
NOT BE VACATED, AND (2)
SANCTIONS SHOULD NOT BE
IMPOSED FOR FAILURE TO
PROSECUTE AND FAILURE TO OBEY
THE COURT'S ORDERS

(Docs. 72, 74)

TEN-DAY DEADLINE

Background

Plaintiff Maisa Kurdi ("Plaintiff") initiated this action with the filing of a complaint on June 15, 2022. (Doc. 1). On March 8, 2023, the Court entered an order scheduling the case. (Doc. 29).

On February 12, 2025, at the parties' joint request, the Court ordered the parties to participate in a settlement conference prior to the pretrial conference. (Doc. 70). That same day, the Court entered an order setting the settlement conference before the undersigned, to occur on April 23, 2025. (Doc. 71). Thereafter, the undersigned issued an order setting forth provisions governing the settlement conference. (Doc. 72). In that order, the undersigned directed Plaintiff to, by March 5, 2025, mail to Defendant a written itemization of damages and a meaningful

1 settlement demand, with a brief explanation of why such a demand is appropriate, not to exceed
2 five pages. *Id.* at 2.

3 On March 18, 2025, Defendant filed a letter brief representing that Plaintiff had failed to
4 provide the itemization and demand by March 5, 2025. (Doc. 74). Defendant attaches an email
5 purportedly sent to Plaintiff on March 7, 2025, regarding the itemization and demand and asking
6 confirmation whether it was sent in the mail. *Id.* at 3. Defendant also attaches a letter purportedly
7 sent to Plaintiff on March 12, 2025, regarding the same and asking Plaintiff to confirm whether
8 she still intends on participating in settlement negotiations. *Id.* at 4. According to Defendant,
9 Plaintiff has not responded to these communications.

10 Local Rule 110 provides that “[f]ailure of counsel or of a party to comply with these Rules
11 or with any order of the Court may be grounds for imposition by the Court of any and all
12 sanctions ... within the inherent power of the Court.” The Court has the inherent power to control
13 its docket and may, in the exercise of that power, impose sanctions where appropriate. *Bautista*
14 *v. Los Angeles County*, 216 F.3d 837, 841 (9th Cir. 2000).

15 **Conclusion and Order**

16 In light of Plaintiff’s failure to comply with the order setting settlement conference (Doc.
17 72), IT IS HEREBY ORDERED that Plaintiff shall show cause in writing **within ten (10) days**
18 of entry of this order (1) why the settlement conference should not be vacated, and (2) why
19 sanctions should not be imposed for Plaintiff’s failure to prosecute this action and obey this
20 Court’s orders. In her written response, Plaintiff shall address Defendant’s assertion that she
21 failed to comply with the Court’s March 5, 2025, deadline (Doc. 72) and shall state whether she
22 intends to participate in any settlement conference.

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1 Providing to Defendant a written itemization of damages and settlement demand will not
2 relieve Plaintiff of her obligations under this order to file a written response.

3 **Any failure by Plaintiff to timely comply with this order to show cause may result in**
4 **the imposition of sanctions, up to and including a recommendation to dismiss the case.**

5 IT IS SO ORDERED.

6 Dated: **March 19, 2025**

7 
UNITED STATES MAGISTRATE JUDGE